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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
(FRESNO DIVISION)

VALLEY CHILDREN'S HOSPITAL, a
California nonprofit public benefit
corporation,

Plaintiff,
v.

CALIFORNIA FIELD IRONWORKERS
TRUST FUNDS, a voluntary employees
benefit association pursuant to 26 u.s.c.
§501(c)(9), and does 1 through 25
inclusive,

Defendants.

Case No.: 1:24-cv-00819-JLT-
SKO

**JOINT STIPULATION AND ORDER
TO EXTEND TIME FOR
DEFENDANT TO FILE A
RESPONSIVE PLEADING TO THE
FIRST AMENDED COMPLAINT,
TO OPPOSE THE MOTION FOR
REMAND, AND TO CONTINUE
HEARING ON THE MOTION FOR
REMAND
(L.R. 143 and 144)**

(Doc. 17)

1 Plaintiff, VALLEY CHILDREN'S HOSPITAL ("Plaintiff") and Defendant,
2 CALIFORNIA FIELD IRONWORKERS TRUST FUNDS ("Defendant"), hereby
3 stipulate as follows pursuant to Local Rule 144(a):

4 **RECITALS**

- 5 1. Plaintiff filed this action in the Superior Court of California, County of
6 Madera, on May 24, 2024;
- 7 2. Defendants filed Notice of Removal on July 15, 2024;
- 8 3. Defendants filed a Motion to Remand on August 5, 2024;
- 9 4. Plaintiff also filed a First Amended Complaint on August 5, 2024;
- 10 5. Pursuant to Rule 15(a)(3) of the Federal Rules of Civil Procedure, the
11 Defendant has until August 19, 2024 to answer or otherwise respond to
12 the First Amended Complaint;
- 13 6. Pursuant to Local Rule 230(c), the Defendants have until August 19, 2024,
14 to file a written opposition to the Motion for Remand;
- 15 7. No previous extensions of time have been requested in this matter;
- 16 8. The parties engaged in a meet and confer session regarding the Motion for
17 Remand and the Defendant's anticipated Motion to Dismiss the First
18 Amended Complaint.
- 19 9. The parties believe that further meet and confer discussions could partially
20 or completely resolve the Plaintiff's claims and that a period of two weeks
21 would be sufficient to engage in those meet and confer sessions.
- 22 10. An extension of time of two weeks could partially or entirely avoid the
23 Plaintiff and Defendant incurring attorney's fees and costs to litigate this
24 matter if a partial or complete resolution is reached through further meet
25 and confer sessions.

1 **STIPULATIONS**

2 1. The Defendant shall have until September 3, 2024 to answer or
3 otherwise respond to the First Amended Complaint; and
4 2. The Defendant shall have until September 3, 2024 to file a written
5 opposition to the Plaintiff's Motion for Remand; and
6 3. The Hearing on the Motion for Remand currently scheduled for
7 September 12, 2024 at 9:00 a.m. is continued to September 26, 2024 at
8 9:00 a.m.

9
10 **IT IS SO STIPULATED.**

11 Dated: August 15, 2024

KRAW LAW GROUP, APC

12 /s/ Katherine A. McDonough

13 Katherine A. McDonough

14 *Attorneys for Defendants*

15 Dated: August 15, 2024

16 Law Offices of Stephenson, Acquisto &
17 Coleman

18 /s/ Jennifer Jiao***

19 Jennifer Jiao

20 *Attorneys for Plaintiff*

21 **ORDER**

22 Pursuant to the foregoing stipulation (Doc. 17), and for good cause shown, the Court
HEREBY ORDERS as follows:

23 1. Defendant shall have until September 3, 2024 to answer or otherwise respond to the First
24 Amended Complaint;
25 2. Defendant shall have until September 3, 2024 to file a written opposition to the Plaintiff's
26 Motion for Remand; and

1 3. As set forth in the Court's standing order, no hearing on the Motion to Remand will be
2 calendared, and the matter will be decided on the papers.

3 IT IS SO ORDERED.
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5 Dated: August 19, 2024

/s/ Sheila K. Oberto
6 UNITED STATES MAGISTRATE JUDGE

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